

### REMARKS

Claims 32-40 are pending in this application, of which Claims 32 and 36-40 are in independent form. Claims 32, 34, and 36-40 have been amended to define more clearly what Applicant regards as the invention.

Claims 32-40 were rejected under 35 U.S.C. 103(a) as being obvious from U.S. Patent No. 5,917,615 to Reifman et al. in view of U.S. Patent No. 6,972,858 to Nishida et al.

Claim 32 is directed to a color facsimile apparatus that includes reading means, generating means, extracting means, overwriting means, compressing means, storing means, and transmitting means. The reading means reads an image, the generating means generates image data representing the image, and the extracting means extracts data from the image data in minimum processing units for JPEG compression processing. The overwriting means overwrites transmission information for a header or footer in a unit of extracted data extracted by the extracting means when the unit of the extracted data is a unit in which the transmission information should be overwritten. The compressing means executes JPEG compression processing for each unit of the extracted data including the unit of the extracted data in which the transmission information is overwritten after overwriting the transmission information by the overwriting means. The storing means stores compressed data by the compressing means in a memory, and the transmitting means transmits a JPEG image data based on the compressed data stored in the memory.

Notably, Claim 32 overwrites transmission information for a header or footer in a unit of extracted data when the unit of the extracted data is a unit in which the

transmission information should be overwritten. Support for this feature is found in the present specification, at least at page 24, line 11, to page 25, line 5, and in Fig. 5.<sup>1/</sup>

Reifman et al., as understood by Applicant, relates to a user interface for an intelligent facsimile machine (IFAX). Reifman et al. discusses adding header information to a page to be transmitted. However, Reifman does not teach or suggest replacing or overwriting a part of an original image with transmission information for a header or footer. During a telephone interview between the Examiner and the undersigned attorney on April 14, 2006, the undersigned attorney proposed amendments to Claim 32 in order to clarify that the color facsimile apparatus of Claim 32 replaces or overwrites a part of an original image with transmission information for a header or footer. The Examiner agreed that Reifman et al. does not teach or suggest this feature.<sup>2/</sup>

Nishida et al., as understood by Applicant, relates to an IFAX supporting JPEG; however, Nishida et al. would not remedy the deficiencies of Reifman et al.

Nothing in Reifman et al. or Nishida et al., whether considered separately or in any permissible combination (if any) would teach or suggest overwriting transmission information for a header or footer in a unit of extracted data when the unit of the extracted

---

1/It is of course to be understood that the references to various portions of the present application are by way of illustration and example only, and that the claims are not limited by the details shown in the portions referred to.

2/While the claim amendments presented herein are not the precise claim amendments which the Examiner agreed to during the telephone interview on April 14, 2006, in a subsequent telephone interview with the undersigned attorney on May 15, 2006, the Examiner agreed to the claim amendments as presented herein.

data is a unit in which the transmission information should be overwritten, as recited in Claim 32.

Accordingly, Claim 32 is believed to be patentable over Reifman et al. and Nishida et al., whether considered separately or in any permissible combination (if any).

Independent Claims 36-40 recite features similar in many relevant respects to those discussed above with respect to Claim 32 and therefore are also believed to be patentable over Reifman et al. and Nishida et al. for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from Claim 32 discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### STATEMENT OF SUBSTANCE OF INTERVIEW

This Statement is being filed in response to the Examiner's request therefor in the Interview Summary mailed on April 21, 2006 in the above-identified application. The Examiner's Interview Summary follows the interview between the Examiner and Applicant's undersigned attorney on April 14, 2006.

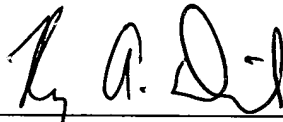
During the interview, the undersigned attorney proposed amendments to Claim 32 in order to clarify that the color facsimile apparatus of Claim 32 replaces or overwrites a part of an original image with transmission information for a header or footer. The Examiner agreed that U.S. Patent No. 5,917,615 to Reifman et al. does not teach this feature.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. A. DiPerna", is written over a horizontal line.

Raymond A. DiPerna  
Attorney for Applicant  
Registration No.: 44,063

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 569676v1